

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:19-cv-00538-CJN**

DEMOCRACY FORWARD FOUNDATION v. UNITED
STATES DEPARTMENT OF ENERGY
Assigned to: Judge Carl J. Nichols
Cause: 05:552 Freedom of Information Act

Date Filed: 02/28/2019
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**DEMOCRACY FORWARD
FOUNDATION**

represented by **Javier M. Guzman**
DEMOCRACY FORWARD
FOUNDATION
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(202) 448-9090
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ATTORNEY TO BE NOTICED

V.

Defendant

**UNITED STATES DEPARTMENT
OF ENERGY**

represented by **Jason Todd Cohen**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
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TERMINATED: 11/24/2019
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Sean Michael Tepe
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Date Filed	#	Docket Text
02/28/2019	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF ENERGY (Filing fee \$ 400 receipt number 0090-5972427) filed by DEMOCRACY FORWARD FOUNDATION. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Exhibit A, # <u>6</u> Exhibit B)(Guzman, Javier) (Entered: 02/28/2019)
02/28/2019	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by DEMOCRACY FORWARD FOUNDATION (Guzman, Javier) (Entered: 02/28/2019)
02/28/2019		Case Assigned to Judge Amit P. Mehta. (zef,) (Entered: 02/28/2019)
02/28/2019	<u>3</u>	SUMMONS (3) Issued Electronically as to UNITED STATES DEPARTMENT OF ENERGY, U.S. Attorney and U.S. Attorney General. (Attachments: # <u>1</u> Notice and Consent)(zef,) (Entered: 02/28/2019)

03/08/2019	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 3/7/2019. (Answer due for ALL FEDERAL DEFENDANTS by 4/6/2019.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 3/7/19., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF ENERGY served on 3/6/2019 (Attachments: # <u>1</u> Declaration)(Guzman, Javier) (Entered: 03/08/2019)
04/08/2019	<u>5</u>	NOTICE of Appearance by Jason Todd Cohen on behalf of UNITED STATES DEPARTMENT OF ENERGY (Cohen, Jason) (Entered: 04/08/2019)
04/08/2019	<u>6</u>	ANSWER to Complaint by UNITED STATES DEPARTMENT OF ENERGY.(Cohen, Jason) (Entered: 04/08/2019)
04/09/2019	<u>7</u>	ORDER. Both a Complaint and an Answer are now before the court in this FOIA case. It is hereby ordered that the parties shall meet and confer and file a Joint Status Report on or before April 23, 2019. The Joint Status Report shall include (1) the status of Plaintiff's FOIA request; (2) the anticipated number of documents responsive to Plaintiff's FOIA request; (3) the anticipated date(s) for release of the documents requested by Plaintiff; (4) whether a motion for stay is likely under Open America v. Watergate Special Prosecution Force, 547 F.2d 605 (D.C. Cir. 1976); and (5) whether the parties anticipate summary judgment briefing and, if so, a proposed briefing schedule. Signed by Judge Amit P. Mehta on 04/09/2019. (lcapm1) Modified on 4/9/2019 (lcapm1,). Modified on 4/9/2019 (lcapm1). (Main Document 7 replaced on 4/9/2019) (zjd). (Entered: 04/09/2019)
04/09/2019		Set/Reset Deadlines: Joint Status Report due by 4/23/2019. (zjd) (Entered: 04/09/2019)
04/09/2019	<u>8</u>	Unopposed MOTION for Extension of Time to File <i>Joint Status Report</i> by UNITED STATES DEPARTMENT OF ENERGY (Cohen, Jason) (Entered: 04/09/2019)
04/11/2019		MINUTE ORDER granting <u>8</u> Defendant's Unopposed Motion for Extension of Time to File Joint Status Report. It is hereby ordered that the parties shall meet and confer and file a Joint Status Report on or before May 7, 2019. The Joint Status Report shall include (1) the status of Plaintiff's FOIA request; (2) the anticipated number of documents responsive to Plaintiff's FOIA request; (3) the anticipated date(s) for release of the documents requested by Plaintiff; (4) whether a motion for stay is likely under Open America v. Watergate Special Prosecution Force, 547 F.2d 605 (D.C. Cir. 1976); and (5) whether the parties anticipate summary judgment briefing and, if so, a proposed briefing schedule. Signed by Judge Amit P. Mehta on 04/11/2019. (lcapm1) (Entered: 04/11/2019)
04/11/2019		Set/Reset Deadlines: Joint Status Report due by 5/7/2019. (zjd) (Entered: 04/12/2019)
05/07/2019	<u>9</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF ENERGY. (Cohen, Jason) (Entered: 05/07/2019)
05/09/2019		MINUTE ORDER. Defendant shall file a Status Report outlining Defendant's search and production efforts on or before June 28, 2019. Signed by Judge Amit P. Mehta on 05/09/2019. (lcapm1) (Entered: 05/09/2019)
05/09/2019		Set/Reset Deadlines: Defendant's Status Report due by 6/28/2019. (zjd) (Entered: 05/09/2019)
06/24/2019		Case directly reassigned to Judge Carl J. Nichols. Judge Amit P. Mehta is no longer assigned to the case. (rj) (Entered: 06/24/2019)
06/28/2019	<u>10</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF ENERGY. (Cohen, Jason) (Entered: 06/28/2019)
08/09/2019	<u>11</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF ENERGY. (Cohen, Jason) (Entered: 08/09/2019)
08/13/2019		MINUTE ORDER. In light of the Parties' <u>11</u> Joint Status Report, it is hereby ORDERED that the Parties shall submit an additional Joint Status Report by September 23, 2019. Signed by Judge Carl J. Nichols on August 13, 2019. (lccjn1) (Entered: 08/13/2019)

08/13/2019		Set/Reset Deadlines: Additional Joint Status Report due by 9/23/2019. (mac) (Entered: 08/13/2019)
09/23/2019	<u>12</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF ENERGY. (Cohen, Jason) (Entered: 09/23/2019)
09/26/2019		MINUTE ORDER. In light of the Parties' <u>12</u> Joint Status Report, it is hereby ORDERED that the Parties shall submit an additional Joint Status Report on or before November 7, 2019. Signed by Judge Carl J. Nichols on September 26, 2019. (lccjn3) (Entered: 09/26/2019)
09/26/2019		Set/Reset Deadlines/Hearings: Joint Status Report due by 11/7/2019. (zcdw) (Entered: 09/29/2019)
11/08/2019	<u>13</u>	Joint STATUS REPORT by DEMOCRACY FORWARD FOUNDATION. (Annatoyn, Travis) (Entered: 11/08/2019)
11/24/2019	<u>14</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Sean Michael Tepe on behalf of UNITED STATES DEPARTMENT OF ENERGY Substituting for attorney Jason Cohen (Tepe, Sean) (Entered: 11/24/2019)
11/28/2019		MINUTE ORDER. In light of the Parties' <u>13</u> Joint Status Report, it is hereby ORDERED that the Parties shall submit an additional Joint Status Report on or before January 10, 2020. Signed by Judge Carl J. Nichols on November 27, 2019. (lccjn3) (Entered: 11/28/2019)
12/02/2019		Set/Reset Deadlines: Joint Status Report due by 1/10/2020. (mac) (Entered: 12/02/2019)